REMARKS

Claims 1-23 are pending and in the application and stand rejected by the Examiner. Claims 2 and 20 have been amended. Claim 24 has been cancelled. No claims have been added.

Claim Objections

Claim 2 is objected to for having improper antecedent basis. Claim 2 has been amended to overcome this objection. Applicant respectfully requests the objection be removed.

Rejections Under 35 U.S.C. § 102

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,491,796 to Wanderer, et al. (hereinafter "Wanderer").

A. Independent claims 1, 11 and 20 are patentable under 35 U.S.C. § 102 over Wanderer

Claim 1 recites the limitation, "where at least one repository is configured to maintain an object-oriented information model, the information model including at least one managed entity data structure for describing the network element as a physical entity represented by one or more physical objects." Wanderer fails to disclose this limitation of claim 1. The Office action cites to col. 24, lines 44-45 of Wanderer as support. Specifically, this section of Wanderer recites, "Leaf values may refer to MIB variables that are retrieved from the database." *See Office action*, pg. 2. In this section, Wanderer merely refers to the presence of MIB variables retrieved from a database. Variables from a managed information base (MIB) do not disclose that "at least one repository is configured to maintain an object-oriented information model, the information model including at least one managed entity data structure for describing the network element as a physical entity represented by one or more physical objects." Although an MIB is a database of objects, there is nothing in Wanderer that states that the database of an MIB includes "at least

one managed entity data structure for describing the network element as a physical entity represented by one or more physical objects" as recited in claim 1.

Further, it is not inherent that the structure of an MIB database includes "at least one managed entity data structure for describing the network element as a physical entity represented by one or more physical objects." Thus, Wanderer fails to disclose this limitation of claim 1. Therefore, claim 1 is patentable under 35 U.S.C. § 102(b) over Wanderer.

Independent claim 11 recites the limitation, "forming a first representation of a network element as a physical entity in an information model, the first representation having a form independent of an implementation defined by a vendor." Wanderer fails to disclose this limitation of claim 11. The Office action cites to col. 3, lines 42-52 of Wanderer as support. *See Office action*, pg. 3. This section of Wanderer merely states that a "device specification file defines the graphical view of the agent as multiple objects or hotspots." This language fails to disclose "a network element as a physical entity," as recited in claim 11. In fact, Wanderer is silent on its objects or hotspots referring to a representation as a physical entity.

Additionally, the above quoted language of Wanderer also fails to disclose "the first representation having a form independent of an implementation formed by a vendor" as recited in claim 11. In contrast, a device specification file (DSF) is further defined in Wanderer as "graphical representations of remotely located vendor-specific device." *See Wanderer*, col. 3, lines 37-39. This definition fails to discuss "a form independent of an implementation formed by a vendor" in any capacity. Thus, Wanderer fails to disclose this limitation of claim 11. Therefore, claim 11 is patentable under 35 U.S.C. § 102(b) over Wanderer.

As amended, independent claim 20 recites the limitation, "grouping the data from each of the different devices using an adaptation layer before assigning the data from that device to one

or more entities." This limitation was originally recited in now cancelled claim 24. Wanderer fails to disclose this limitation of claim 20. The Office action cites to col. 36, lines 5-7 of Wanderer as support that this limitation is disclosed. *See Office action*, pg. 8, paragraph 3. Specifically, this section of Wanderer merely discloses that "poll groups may be registered" and "a set of poll identifiers may be built... and registered as a group." Poll groups being registered is not the same as "grouping the data from each of the different devices using an adaptation layer before assigning to one or more entities." Further, Wanderer is completely silent on the use of an adaptation layer for "grouping the data." As such, Wanderer fails to disclose this limitation of claim 20. Therefore, claim 20 is patentable under 35 U.S.C. § 102(b) over Wanderer.

B. Dependent claims 2-10, 12-19 and 21-23 are patentable under 35 U.S.C. § 102 over Wanderer

Dependent claims 2-10, 12-19 and 21-23 depend upon and include the limitations of independent claims 1, 11 and 20, respectively. Thus, claims 2-10, 12-19 and 21-23 are also patentable under 35 U.S.C. § 102(b) over Wanderer.
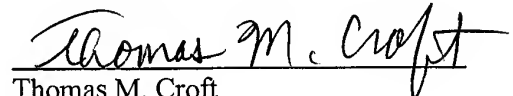
CONCLUSION

In view of the foregoing, Applicant respectfully submits that no further impediments

exist to the allowance of this application and, therefore, requests an indication of allowability.

However, the Examiner is requested to call the undersigned if any questions or comments arise.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16,

1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit

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